


**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper or item referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: December 6, 2005

  
Jennifer A. Moore

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re national phase of:

Applicant(s): Kenneth Edward Frampton et al.  
Inter. Appln. No: PCT/GB03/00942  
Inter. Filing Date: March 6, 2003  
U.S. Serial No: 10/507,278  
Title: FABRICATION OF MICROSTRUCTURED OPTICAL FIBRE

Docket No. DYOUP0277US

**RECEIVED****RE-SUBMISSION OF SUPPLEMENTAL REPLY TO  
NOTIFICATION OF MISSING REQUIREMENTS**

20 DEC 2005

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Legal Staff**  
International Division

Sir:

A complete reply to the Notification of Missing Requirements dated February 28, 2005 was submitted on July 28, 2005. This reply included a petition under 37 C.F.R. § 1.47(a) to accept the application without a declaration of Kai Ming Kiang, one of the inventors.

Subsequently, the undersigned received a duly executed declaration by the non-signing inventor and that declaration was submitted on August 16, 2005. This rendered moot the need for the Rule 47(a) petition and a request for a refund of the petition fee was requested. Notwithstanding, a decision on the petition was issued on November 8, 2005, dismissing the petition.

Applicant has checked the PAIR system and found that the supplemental reply and declaration submitted on August 16, 2005 has not been entered. Accordingly,

enclosed is a copy of the supplemental reply and declaration, along with a copy of the USPTO stamped return postcard acknowledging receipt on August 18, 2005.

In view of the foregoing, request is made for (1) an acknowledgment the application has been accepted for examination, (2) a refund of the petition fee inasmuch as the petition was rendered moot prior to any action on the petition, and (3) a filing receipt.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Don W. Bulson", written over a horizontal line.

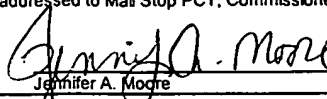
Don W. Bulson, Reg. No. 28,192  
RENNER, OTTO, BOISSELLE & SKLAR, LLP  
1621 Euclid Avenue, 19th Floor  
Cleveland, Ohio 44115  
(216) 621-1113

H:\DWB\DYOUN\PI\P0277\P0277US.P09.wpd

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper or item referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: August 16, 2005

  
Jennifer A. Moore

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re national phase of:

Applicant(s): Kenneth Edward Frampton et al.  
Inter. Appln. No: PCT/GB03/00942  
Inter. Filing Date: March 6, 2003  
U.S. Serial No: 10/507,278  
Title: FABRICATION OF MICROSTRUCTURED OPTICAL FIBRE

Docket No. DYOUP0277US

**SUPPLEMENTAL REPLY TO NOTIFICATION OF MISSING REQUIREMENTS**

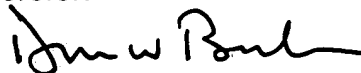
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A complete reply to the Notification of Missing Requirements dated February 28, 2005 was submitted on July 28, 2005. This reply included a petition under 37 C.F.R. § 1.47(a) to accept the application without a declaration of Kai Ming Kiang, one of the inventors.

The undersigned has since received a declaration duly signed by Mr. Kiang. This declaration is being submitted herewith. Consequently, the petition under 37 C.F.R. § 1.47(a) is now moot. Request is made for a refund of the petition fee inasmuch as the petition is no longer needed.

The Commissioner is authorized to charge any additional fee which may be required by this petition, or credit any overpayment, to Deposit Account No. 18-0988 under the above-shown docket number. If any additional extension of time is required, applicant requests that this be considered a petition therefor.



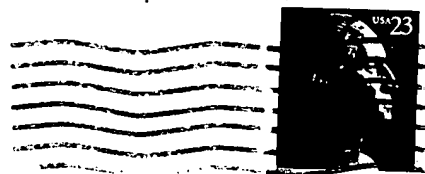
Don W. Bulson, Reg. No. 28,192  
RENNER, OTTO, BOISSELLE & SKLAR, LLP  
1621 Euclid Avenue, 19th Floor  
Cleveland, Ohio 44115  
(216) 621-1113

Applicant Frampton et al. Case No. DY00P0277US  
 Serial No. 10/507,278 Filing Date 9/10/04 Atty DWB  
 Title FABRICATION OF MICROSTRUCTURED OPTICAL FIBRE  
 Mailed 8/16/05 Due Date \_\_\_\_\_ Ex. Mail No. \_\_\_\_\_

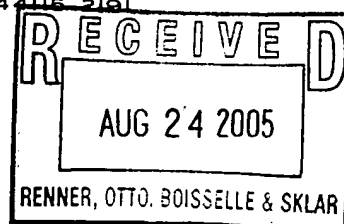
( ) Patent Application ( ☐ New ☐ CON ☐ DIV ☐ CIP ☐ CPA ☐ PCT ☐ Provisional )  
☐ Transmittal/Request ☐ Declaration/Power of Atty ☐ Express Mail Certification  
☐ Pages of Specification ☐ RCE ☐ Issue Fee Trans.  
☐ Sheets of Drawings ☒ IDS/1449/Refs. ☐ Resp. to Missing Parts  
☐ Application Data Sheet ☐ Priority Document(s) ☐ Ltr. Off. Draftsman  
☐ Request for Non-Publication ☐ Decl. Sec. 8 & 15 ☐ Notice of Appeal  
 ( ) Amendment/Response ☐ Ren. Sec. 8 & 9 ☐ Appeal Brief  
☐ Transmittal ☐ Ext. of Time ( ) Credit Card Payment Form(s) \$ \_\_\_\_\_  
 ( ) Trademark/Service App. ( ) Check(s) \$ \_\_\_\_\_  
☒ Other Supplemental Reply to  
Notification of Missing Requirements

RECEIPT ACKNOWLEDGED

**JC06 Rec'd PCT/PTO 18 AUG 2005**



**RENNER, OTTO, BOISSELLE & SKLAR, LLP**  
 1621 EUCLID AVENUE, NINETEENTH FLOOR  
 CLEVELAND, OHIO 44115-2191



Attorney Docket No. DYOUP0277US

PATENT (OUS)

**COMBINED DECLARATION AND POWER OF ATTORNEY  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT)**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: FABRICATION OF MICROSTRUCTURED OPTICAL FIBRE

the specification of which

☐ is attached hereto, or

☒ was filed as United States Application or PCT International Application (give Express Mail label number and deposit date if Application number not yet known):

Application No.: 10/507,278  
(Express Mail Label No.)  
Filing Date: September 10, 2004  
(Deposit Date)  
Amended on (if applicable):

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56(a).

**PRIORITY CLAIM**

I hereby claim priority benefits under Title 35, United States Code, §119 of (i) any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed; and (ii) any United States provisional application(s) that is/are listed below.

☐ no such applications have been filed.

☒ such applications have been filed as follows.

**EARLIEST FOREIGN/PROVISIONAL APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
			Yes	No
GB	0205905.3	13 March 2002	X	

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Armand P. Boisselle, Reg. No. 22,381; Warren A. Sklar, Reg. No. 26,373; Don W. Bulson, Reg. No. 28,192

The undersigned to this declaration and power of attorney hereby authorizes the U.S. attorney(s) named herein to accept and follow instructions from

Authorized representative: D. Young & Co., Briton House, Briton Street, Southampton SO14 3EB,  
UNITED KINGDOM

as to any actions to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorney(s) will be so notified by the undersigned.

**Send Correspondence To**

Don W. Bulson, Esq.  
Renner, Otto, Boisselle & Sklar, P.L.L.  
1621 Euclid Ave., 19th Floor  
Cleveland, Ohio 44115

**Direct Telephone Calls To:**

(name and telephone number)

Don W. Bulson  
  
(216) 621-1113

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Full Name of Sole or First Inventor:</b>		Kenneth Edward Frampton	
Inventor's signature:		Date:	
Residence: (City & State/Country):	Hampshire, United Kingdom	Citizenship:	Britain
Post Office Address:	c/o Center for Enterprise & Innovation University of Southampton Highfield, Southampton Hampshire SO17 1BJ UNITED KINGDOM		

<b>Full Name of Additional Joint Inventor (if any):</b>		Daniel William Hewak	
Inventor's signature:		Date:	
Residence: (City & State/Country):	Hampshire, United Kingdom	Citizenship:	Canada
Post Office Address:	c/o Center for Enterprise & Innovation University of Southampton Highfield, Southampton Hampshire SO17 1BJ UNITED KINGDOM		

CHECK FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH  
FORM A PART OF THIS DECLARATION

- [X] Signature for additional joint inventors.  
[ ] This declaration ends with this page.

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS**

<b>Full Name of Additional Joint Inventor (if any):</b>		Kai Ming Kiang	
Inventor's signature:		Date:	
Residence: (City & State/Country):	Hampshire, United Kingdom	Citizenship:	Singapore
Post Office Address:	c/o Center for Enterprise & Innovation University of Southampton Highfield, Southampton Hampshire SO17 1BJ UNITED KINGDOM		

<b>Full Name of Additional Joint Inventor (if any):</b>		Tanya Mary Monro	
Inventor's signature:		Date:	
Residence: (City & State/Country):	Hampshire, United Kingdom	Citizenship:	Australia
Post Office Address:	c/o Center for Enterprise & Innovation University of Southampton Highfield, Southampton Hampshire SO17 1BJ UNITED KINGDOM		

<b>Full Name of Additional Joint Inventor (if any):</b>		Roger Charles Moore	
Inventor's signature:		Date:	
Residence: (City & State/Country):	Hampshire, United Kingdom	Citizenship:	Britain
Post Office Address:	c/o Center for Enterprise & Innovation University of Southampton Highfield, Southampton Hampshire SO17 1BJ UNITED KINGDOM		

<b>Full Name of Additional Joint Inventor (if any):</b>		David John Richardson	
Inventor's signature:		Date:	
Residence: (City & State/Country):	Hampshire, United Kingdom	Citizenship:	Britain
Post Office Address:	c/o Center for Enterprise & Innovation University of Southampton Highfield, Southampton Hampshire SO17 1BJ UNITED KINGDOM		

<b>Full Name of Additional Joint Inventor (if any):</b>		Harvey Rutt	
Inventor's signature:		Date:	
Residence: (City & State/Country):	Hampshire, United Kingdom	Citizenship:	Britain
Post Office Address:	c/o Center for Enterprise & Innovation University of Southampton Highfield, Southampton Hampshire SO17 1BJ UNITED KINGDOM		

<b>Full Name of Additional Joint Inventor (if any):</b>		John Anthony Tucknott	
Inventor's signature:		Date:	
Residence: (City & State/Country):	Hampshire, United Kingdom	Citizenship:	Britain
Post Office Address:	c/o Center for Enterprise & Innovation University of Southampton Highfield, Southampton Hampshire SO17 1BJ UNITED KINGDOM		

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS:

NAME(S) AND  
ADDRESS(ES) OF  
INVENTOR(S)

Kenneth Edward Frampton  
c/o Center for Enterprise & Innovation  
University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

Roger Charles Moore  
c/o Center for Enterprise & Innovation  
University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

Daniel William Hewak  
c/o Center for Enterprise & Innovation  
University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

David John Richardson  
c/o Center for Enterprise & Innovation  
University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

Kai Ming Kiang  
c/o Center for Enterprise & Innovation  
University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

Harvey Rutt  
c/o Center for Enterprise & Innovation  
University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

Tanya Mary Monro  
c/o Center for Enterprise & Innovation  
University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

John Anthony Tucknott  
c/o Center for Enterprise & Innovation  
University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

(hereinafter referred to as ASSIGNOR), have invented a certain invention entitled:

TITLE OF  
INVENTION

FABRICATION OF MICROSTRUCTURED OPTICAL FIBRE

for which application for Letters Patent of the United States has been:

[authorization is hereby given for any attorney of record in the subject patent application to insert below the application number and filing date information for this application when that information becomes available]

PARTICULARS OF  
APPLICATION

[ ] executed concurrently herewith,  
[X] filed under U.S. Application No. 10/507,278 on September 10, 2004,  
[ ] filed under PCT Application No. \_\_\_\_\_ on \_\_\_\_\_, or  
[ ] filed under Express Mail Label No. \_\_\_\_\_ on \_\_\_\_\_.

WHEREAS:

NAME, STATE OF  
INCORPORATION  
AND ADDRESS OF  
ASSIGNEE

University of Southampton  
Highfield, Southampton  
Hampshire SO17 1BJ  
UNITED KINGDOM

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and the United States Letters Patent to be obtained therefor.

Now, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that for One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE, its successors and assigns, the entire right, title and interest to said invention so far as concerns the United States and the Territories and Possessions thereof, including the right to claim priority, and said application and all Letters Patent of the United States to be obtained on said application or any continuation, division, renewal, substitute or reissue thereof for the full term or terms for which the same may be granted.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof.

FULL NAME(S) OF  
INVENTORS(S)

Date \_\_\_\_\_

\_\_\_\_\_  
Kenneth Edward Frampton

Date \_\_\_\_\_

\_\_\_\_\_  
Daniel William Hewak

Date \_\_\_\_\_

\_\_\_\_\_  
Kai Ming Kiang

Date \_\_\_\_\_

\_\_\_\_\_  
Tanya Mary Monro

Date \_\_\_\_\_

\_\_\_\_\_  
Roger Charles Moore

Date \_\_\_\_\_

\_\_\_\_\_  
David John Richardson

Date \_\_\_\_\_

\_\_\_\_\_  
Harvey Rutt

Date \_\_\_\_\_

\_\_\_\_\_  
John Anthony Tucknott

H:\DWB\IDYOU\IP0277\IP0277US.ASSN.wpd (A-OUS-4.A4) (1/99)